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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,580	08/21/2003	Anil K. Nori	MSFT-2735/305642.01	9948
41505 7590 03/21/2007 WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION) CIRA CENTRE, 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891			EXAMINER CORRIELUS, JEAN M	
			ART UNIT 2162	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			03/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/646,580	NORI ET AL.	
	Examiner	Art Unit	
	Jean M. Corrielus	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/19/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the amendment filed on December 15, 2006, in which claims 1-18 are presented for further examination.

Information Disclosure Statement

2. The information disclosure statement (IDS) filed on January 19, 2007 complies with the provisions of M.P.E.P 609. It has been placed in the application file. The information referred to therein has been considered as to the merits.

Response to Arguments

3. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection necessitated by amendment.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1-18 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, specifically, as directed to an abstract idea.

It appears that the data store, recited in claims 1 and 10, is a data structure that represents a descriptive material per se. such data structure is not claimed as embodied in computer-readable media to form the basis statutory under 35 USC 101 because it is not capable of causing functional change in the computer (See, e.g., Warmerdam, 33 F.3d at 1361, 31 USPQ2d at

Art Unit: 2162

1760). Such claimed data structure does not define any structural and functional interrelationships between the data structure and other claimed aspects of the invention, which permit the data structure's functionality to be realized. Claims 1-11 also are directed to an abstract idea that is not tied to a technological art, environment or machine which would produce a concrete and useful result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agrawal et al., (hereinafter "Agrawal") US Patent no. 6,324,533 and Martin US Patent no. 6,704,743.

As to claim 1, Agrawal is directed to a system for mining relationship from the integrated mining system in a form of query to SQL engines enhanced with object relational extensions (col.2, lines

Art Unit: 2162

33-36). In particular the claimed “a data store” (col.) that comprises an item (item is an object, col.2, lines 40-60; col.4, line 66; col.5, lines 5-20), wherein said Item is a unit of data storable in a data store” (wherein the object is stored in a medium, col.8, lines 2-18). However, Agrawal does not explicitly disclose “a Core Schema that defines a set of core types, wherein each Item is characterized into at least one core type based on the Item type or the Item subtype, the characterizations being stored in the data store”.

On the other hand, Martin discloses an entity management system using the concept of database seeding. However, the core schema disclosed by Martin is not configured to include at its most basic level the concept of object inheritance, but such concept is introduced by creating a parent definition entity in the database as a way to define the characteristics of a parent relationship between a parent and child entity (see fig.61). In particular, Martin discloses the claimed “a Core Schema that defines a set of core types, wherein each Item is characterized into at least one core type based on the Item type or the Item subtype, the characterizations being stored in the data store” (col.25, lines 26-37). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references. One having ordinary skill in the art would have found it motivated to use such modification for the purpose of minimizing the performance impact of changes to the structure of parent entities.

As to claim 2, Agrawal discloses the claimed “a plurality of Items, said plurality of Items comprising an Item Folder and at least one other Item that is a member of said Item Folder” (col.9, lines 25-60).

Art Unit: 2162

As to claim 3, Agrawal discloses the claimed “a plurality of Items, said plurality of Items comprising a Category and at least other one Item that is a member of said Category” (col.12, lines 48-55).

As to claim 4, Agrawal discloses the claimed “wherein a Relationship between two Items is established automatically by a hardware/Software interface system” (col.7, lines 15-60). (This claim should not be part of the rejection because is not selection from at least claimed element in claim 1)

As to claim 5, discloses the claimed “wherein said Element is understandable by a hardware/software interface system.” (col.8, lines 8-18). (This claim should not be part of the rejection because is not selection from at least claimed element in claim 1)

As to claim 6, discloses the claimed “a second Element, and wherein said Relationship comprises said second Element” (col.7, lines 15-25). (This claim should not be part of the rejection because is not selection from at least claimed element in claim 1)

As to claim 7, Martin discloses the claimed a Core Schema to define a set of Core Items by which a hardware/software interface system understands and directly processes said set of Core Items in a predetermined and predictable way (col.25, lines 26-37).

Art Unit: 2162

As to claim 8, Martin discloses the claimed “ wherein each Item from the set of Core Items is derived (directly or indirectly) from a Common Single Base Item” ((col.25, lines 26-37)).

As to claim 9, Martin discloses the claimed “wherein said Common Single Base Item is a foundational Item in a Base Schema” ((col.25, lines 26-37)).

As to claim 10-11:

Claims 10-11 are computer readable medium with computer readable instructions for performing the data store claims 1-9 above. They are, therefore, rejected under the same rationale.

As to claim 12, discloses the claimed “a plurality of Elements where each Element from among said plurality of Elements constitutes an instance of a type comprising one or more fields” (col.2, lines 40-60; col.4, line 66; col.5, lines 5-20; “a plurality of Items where each Item from among said plurality of Items constitutes a discrete storable unit of information that can be manipulated by a hardware/software interface system, and wherein each said Item comprises at least one Element” (col.10, lines 13-38); “plurality of Relationships where each Relationship form among said plurality of Relationships is a link between at least two Items” (col.9, lines 25-60); “a data store, said data store comprising said plurality of Item, said plurality of Elements, and said plurality of Relationships” (col.10, lines 15-60; and ”a storage platform for managing said data store and for manipulating said plurality of Items” (col.9, lines 25-60). However, Agrawal does not explicitly discloses “a Core Schema that defines a set of core types, wherein each Item is

Art Unit: 2162

characterized into at least one core type based on the Item type or the Item subtype, the characterizations being stored in the data store”.

On the other hand, Martin discloses an entity management system using the concept of database seeding. However, the core schema disclosed by Martin is not configured to include at its most basic level the concept of object inheritance, but such concept is introduced by creating a parent definition entity in the database as a way to define the characteristics of a parent relationship between a parent and child entity (see fig.61). In particular, Martin discloses the claimed “a Core Schema that defines a set of core types, wherein each Item is characterized into at least one core type based on the Item type or the Item subtype, the characterizations being stored in the data store” (col.25, lines 26-37). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references. One having ordinary skill in the art would have found it motivated to use such modification for the purpose of minimizing the performance impact of changes to the structure of parent entities.

As to claim 13, discloses the claimed “wherein each Item from among said plurality of Items belongs to at least one Item Folder from among a plurality of Item Folders, and wherein each said Item may belong to more than one Item Folder from among said plurality of Item Folders” (col.12, lines 35-65).

Art Unit: 2162

As to claim 14, discloses the claimed “wherein the deletion of said Item Folder does not automatically result in the deletion of said Item” (col.7, lines 15-62).

As to claim 15, Agrawal discloses the claimed “wherein an Item is automatically deleted when it no longer belongs to any Item Folder” (col.8, lines 3-18).

As to claim 16, Agrawal discloses the claimed “wherein said Item is automatically deleted when it is a member of only one Item Folder and said Item Folder is deleted” (col.9, lines 25-60).

As to claim 17, Agrawal discloses the claimed “wherein an Item is automatically a member of a default Item Folder”(col.10, lines 15-40).

As to claim 18, Agrawal discloses the claimed “wherein said Item, when it is a member of only one Item Folder and said Item Folder is deleted, automatically becomes a member of a default Item Folder” (col.10, lines 15-35)

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

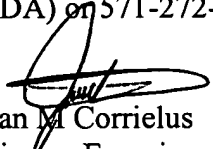
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032. The examiner can normally be reached on 10 hours shift.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2162

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jean M Corrielus
Primary Examiner
Art Unit 2162

March 16, 2007